

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL NO.05-cr-10020 RCL
CHARLES J. WALLACE,)	
)	
Defendant.)	
_____)	

UNITED STATES' MOTION TO REDUCE SENTENCE

The United States, by its undersigned counsel, moves this Court to reduce the sentence of defendant Charles J. Wallace, pursuant to Rule 35(b)(1) of the Federal Rules of Criminal Procedure.

As grounds for this motion, the United States notes that defendant Charles J. Wallace, after sentencing provided substantial assistance in investigating and prosecuting another person and that reducing the sentence accords with the Sentencing Commission's guidelines and policy statements.

Specifically, Charles J. Wallace provided such substantial assistance, after his sentencing, by preparing for and testifying in the trial of United States v. Daniel W. McElroy and Aimee King McElroy, Crim. No. 05-10019-RGS, in January 2008.

Reducing Wallace's sentence accords with the Sentencing Commission's guidelines and policy statements as set forth in U.S.S.G. §5K1.1. The United States considers Wallace's assistance to have been significant and useful. The United States believes Wallace's testimony was substantially truthful, complete and reliable and notes that Wallace made clear his

willingness to assist the prosecution in a timely fashion, having entered into a cooperation agreement prior to the issuance of charges.

Respectfully submitted,

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United States Attorney

By: /s/ Paul G. Levenson
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Dated: February 26, 2008

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non registered participants on this date.

/s/ Paul G. Levenson
PAUL G. LEVENSON
Assistant U.S. Attorney

Dated: February 26, 2008